

# EXHIBIT 9



**State of Wyoming  
Office of the Attorney General  
Division of Criminal Investigation  
Forrest Williams, Interim Director**

Mark Gordon  
Governor  
Bridget Hill  
Attorney General

To whom it may concern,

I, Special Agent Darrell Steward have been employed by the State of Wyoming, Division of Criminal Investigation (DCI) since December of 2003. Previous to my employment with DCI, I was a Police Officer and Detective for the Cody Police Department from August of 1988, to December of 2003. Previous to my employment with the Cody Police Department, I was a Detention Deputy for the Park County Sheriff's Department from August of 1987, to August of 1988.

During my career in law enforcement, I have attended several crime scene related schools, including Crime Scene Management/Processing & Evidence, Death & Homicide Investigation, Wound Ballistics, Cold Case Homicide Investigations and Crime Scene photography and Advanced Techniques for Unresolved Death Investigations.

I have also been a firearms instructor since 1993, to current and maintained that certification by attending instructor updates every two years, as required. I have attended numerous firearms related schools, including, FBI Basic Swat, Sniper/Counter-Sniper, NRA Rifle and Pistol Instructor, Front Range Rifle and Carbine Instructor, the Viking Tactics Nightfighter course and Law Enforcement Tactical Casualty (Wound) Care.

I grew up in Wyoming and started hunting as a young child and continued until recently. I completed the North American School of Gunsmithing while still in high school and have been heavily involved in the repair, finishing, reloading and accurizing of firearms since that time. I have firsthand knowledge of gunshot wounds and bullet deformation characteristics on both game animals, predators and humans.

In June of 2020, I was contacted by Wyoming Game Warden Chris Queen regarding a case involving the shooting of several elk by a hunting party near Heart Mountain. Warden Queen informed me that the rifles allegedly used were long-range hunting rifles chambered in 6.5 caliber, possibly utilizing Berger bullets.

Warden Queen showed me bullet fragments recovered from one of the elk. The bullet fragments included the jacketed base of the bullet. The bullet had a long boat tail design consistent with a high ballistic coefficient bullet, such as a Berger or Hornady ELD-X/ELD-M type of bullet.

Warden Queen asked if I could identify the caliber of the bullet prior to the firing of the bullet. Using dial calipers, the bullet was approximately 30 caliber, but was too badly damaged to be certain.

Later that evening, after returning to my residence, I retrieved several different caliber/bullet weights of Berger and Hornady bullets that I had available. I measured the following bullet types and weights:

Berger 6.5mm 140gr BT Target	Part number: 26406
Berger 6.5mm 130gr VLD Hunting	Part number: 26503
Hornady 140 gr ELD-Match	Part number: 26331
Hornady 143 gr ELD-X	Part number: 2635
Berger .270 140gr VLD Hunting	Part number: 27502
Berger 7mm 168gr VLD-Hunting	Part number: 28501
Berger 200 gr Hybrid Target	Part number: 30427
Berger 210 gr VLD Hunting	Part number: 30515

I measured the diameters of the bases of the bases in an attempt to match the base diameter of the jacket fragment recovered from the elk to a specific brand and caliber of bullet. The bullet base diameters were too similar in diameter to make a determination as to the original bullet caliber and brand.

I consulted the Berger Reloading manual regarding the bullet specification for the base area of the various Berger bullets. The dimensions listed in the manual were again very close in dimensions and were not enough for me to make a confident identification of the bullet fragment recovered from the elk.

I later contacted Forensic Analyst KC Ertman, at the Wyoming State Crime Lab, Firearms unit to inquire if the lab had the necessary equipment to examine the metallurgy of the bullet fragments and to compare the fragments to known bullet types for identification purposes. Analyst Ertman informed me that they did not and if the major diameter of the bullet containing the lands and groove imprints where not available it would be difficult to determine the make and caliber of the firearm used to fire the bullet.

If you have any further questions or concerns, please feel free to contact me anytime on my cellular telephone, (307) 254-1422.

Respectfully yours,



Agent Darrell Steward